

ORIGINAL

FILED

July 30 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Marvin E. Alback
ALBACK & BOSCHERT, P.C.
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Billings, Montana 59101
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SUPREME COURT OF THE STATE OF MONTANA

No. PR06-0544

IN RE PETITION OF MARVIN E. ALBACK
FOR REINSTATEMENT TO ACTIVE STATUS
IN THE STATE BAR OF MONTANA

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P E T I T I O N

COMES NOW MARVIN E. ALBACK and respectfully petitions this Court for reinstatement to active status pursuant to Section 3 of the By-Laws of the State Bar of Montana.

Petitioner was admitted to the State Bar of Montana on October 14, 1982.

Petitioner (check one):

- ☐ Voluntarily chose inactive status on _____ (date).
- ☐ Voluntarily chose emeritus status on _____ (date).
- ☐ Voluntarily chose senior status on _____ (date).

X Was placed on inactive status by the State Bar of Montana pursuant to Rules 3B2, 5, and 12, of the Rules for Continuing Legal Education on July 7, 2009 as a result of noncompliance with CLE requirements.

☐ Was suspended for noncompliance with CLE requirements on _____(date).

☐ Has been suspended for three or more consecutive years for nonpayment of dues.

Petitioner was suspended on _____(date).

Petitioner has paid the active dues, fees and the state license tax to the State Bar of Montana and has complied with the continuing education requirements of the Montana Commission of Continuing Legal Education by completing and filing his Affidavit of Compliance for the period ended March 31, 2009.

Petitioner is not currently suspended, disbarred, or otherwise ineligible to practice law in another jurisdiction. (If so, provide the pertinent details.)

Petitioner is not currently subject to disciplinary proceedings or pending disciplinary proceedings in another jurisdiction. (If so, provide the pertinent details.)

Petitioner has not been charged with a criminal offense while not on active status. (If so, provide the pertinent details.)

Petitioner has not accrued delinquent debt or filed for bankruptcy while not on active status. (If so, provide the pertinent details.)

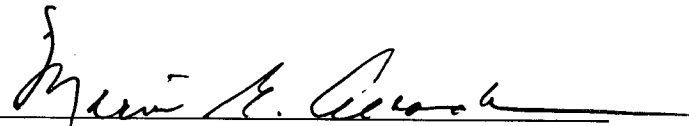
Petitioner has not failed to fulfill the obligations of a public office or professional license (other than as an attorney) while not on active status. (If so, provide the pertinent details.)

Finally, petitioner has not committed any acts or omissions while not on active status which would be sanctionable under the Montana Rules of Professional Conduct. (If so, provide the pertinent details.)

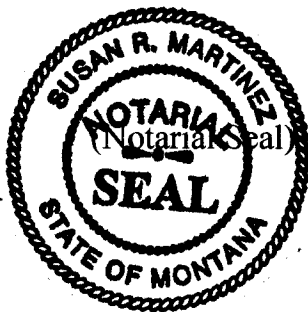
WHEREFORE, petitioner requests reinstatement as an active member of the State Bar of Montana.


The above statements are true based upon petitioner's knowledge and belief.

DATED this 24th day of July, 2009

BY: 
Petitioner

SUBSCRIBED AND SWORN TO before me this 24th day of July, 2009 by MARVIN
E. ALBACK.



Notary Signature 
Printed Name of Notary Susan R. Martinez
Residing at Billings, MT
Notary Public for the State of Montana
My Commission Expires 2/15/2010

ALBACK & BOSCHERT, P.C.

Attorneys And Counselors At Law

TOBY ALBACK

ROSEMARY C. BOSCHERT

Retired

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July 28, 2009

Ms. Kathleen Powers
MCLE Administrator
STATE BAR OF MONTANA
P.O. Box 577
Helena, Montana 59624

Re: Petition for Reinstatement to Active Status

Dear Ms. Powers:

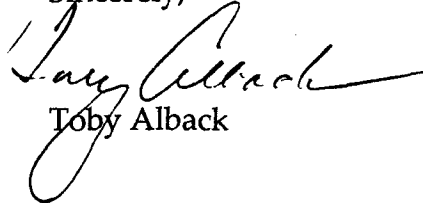
As per our telephone conversation of today, I am enclosing herewith my original Affidavit of Attendance at Approved CLE Activities for the reporting year April 1, 2008 – March 31, 2009. My check, in the amount of \$200.00 is also enclosed.

Finally, I have enclosed a copy of the Petition for reinstatement to active status which I have filed with the Clerk of Supreme Court as well as a copy of my letter to Mr. Ed Smith, the Clerk of Supreme Court.

I trust that the information and documentation enclosed will be sufficient for your purposes. However, should you have any questions concerning this matter, please do not hesitate to contact me.

Thank you for your kind assistance.

Sincerely,



Toby Alback

TA/hs

Enclosure as stated

cc: Ed Smith – Clerk of Supreme Court

Montana Commission of Continuing Legal Education

P.O. Box 577 ♦ Helena, MT 59624 ♦ (406) 442-7660 ♦

Due: April 13, 2009. Please keep a copy and mail the original (DO NOT FAX)

Affidavit of Attendance at Approved CLE Activities for Reporting Year: April 1, 2008 - March 31, 2009

I, Marvin E. Alback hereby certify that I have completed the following CLE activities approved by the Montana Commission of Continuing Legal Education.

PLEASE CHECK PRE-PRINTED INFORMATION CAREFULLY. It may be incomplete or incorrect. Please correct any inaccurate information and include any additional courses you attended before signing the affidavit.

Important: 5.0 ethics credits are required for the 3-year period ending: 3/31/2010
Running tally of ethics credits earned for this 3-year reporting period: 2.00
(Any ethics credits listed below are NOT included in the above total.)

***SA/MI Substance Abuse/Mental Impairment requirement met for this 3-year period** ☐

Course Number	Course Title	Sponsor	Date(s)	Location	Total Credits Earned		(Including *SA/MI)
					Interactive	Other*	
10877	Bankruptcy Seminar	CLE Institute of State Bar MT	10/16/2008 - 10/17/200	Billings	10.00		(1.00) <input type="checkbox"/>

Bankruptcy Issues
Looking for the legal people
State Bar *7/27/09* *Online* *2.75* *1.0*

EST
Ethical Issues For
Bankruptcy Counsel
State Bar *7/27/09* *Online* *1.0* *1.0*

Courses that appear with 0.00 credits were already claimed to meet last year's requirement.

* IMPORTANT

"Other" credits are limited to 5.0 per year. These include Audio/Video, Teaching/Preparation, Online Self-Study, and In-House Courses.

1. Totals (add amounts from the Interactive and Other Columns)
2. Plus carry-over credits from last year's Affidavit
3. Total of Lines 1 and 2
4. Less 15.00 credits to satisfy this year's requirement
5. Remainder to be carried over to next reporting year

(The maximum carryover credits allowed is 30.00)

13.75 3.0
+ 2.75 (Ethics)

16.50

-15.00

1.50

Attorney Signature

Subscribed and sworn to me, a Notary Public, this

Notary Public Printed Name

Notary Public Signature

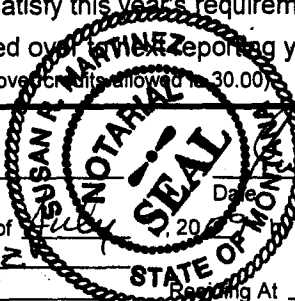
My Commission Expires

27th day of

JULIAN R. MARTINEZ

JULIAN R. MARTINEZ

February 15, 2010



Date

2009

Notary Public

Notary Public

Notary Public

July 27, 2009

Marvin E. Alback

Billings, MT